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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

THE ESTATE OF STANLEY J. BERNSTEIN;
CATHY G. BERNSTEIN, in her capacity as
Personal Representative of the Estate of Stanley J.
Bernstein; and DAVID R. ANDELMAN, in his
capacity as Personal Representative of the Estate of
Stanley J. Bernstein,

Defendants.

Adv. Pro. No. 10-04418 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants the Estate of Stanley J. Bernstein, Cathy G. Bernstein, in her capacity as Personal Representative of the Estate of Stanley J. Bernstein, and David R. Andelman, in his capacity as Personal Representative of the Estate of Stanley J. Bernstein (“Defendants”), by and through their counsel, William P. Weintraub (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On November 30, 2010, the Trustee filed and served the Complaint against Stanley J. Bernstein. Stanley J. Bernstein died during the pendency of this action and on June 10, 2013, Defendants were substituted in this action in the place of Stanley J. Bernstein.

2. On April 17, 2014, Defendants the Estate of Stanley J. Bernstein, Cathy G. Bernstein and David R. Andelman served an answer on the Trustee.

3. On April 7, 2015, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].

4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendant(s) in the above-captioned adversary proceeding and dismissing the adversary proceeding.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and

parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: April 17, 2015
New York, New York

Of Counsel:

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Bernstein, Cathy G. Bernstein, in her capacity as
Personal Representative of the Estate of Stanley J.
Bernstein, and David R. Andelman, in his capacity
as Personal Representative of the Estate of Stanley
J. Bernstein*

SO ORDERED.

Dated: April 17th, 2015
New York, New York

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE